

## **SECTION 15C. DEVELOPMENT UTILITIES**

### **15C.1. General.**

- A. Definitions. As used in this section, the following terms shall have the meanings ascribed to them as set forth below:

Development utilities are gas, electric, public utility regulator stations, pumping stations, and above ground water and sewer facilities, which provide infrastructure to nearby development.

Height, when referring to a supporting utility, means the distance measured vertically from the highest point of the tallest structure located within such utility to the lowest point at the bottom of the base of the structure being measured at finished grade.

(Ord. No. O-02-33, § 4, 7-15-2002)

### **15C.2. Specific use permit not required.**

- A. Except as otherwise provided in this section, a person may not construct, erect, or maintain new above ground utility infrastructure within the city without first receiving approval of a specific use permit.
- (1) Development utilities. Development utilities may be constructed without obtaining a specific use permit if:
- (a) The site is not located within 200 feet of a residential lot located within a residential district;
  - (b) The site is separately platted for such use;
  - (c) The height of the utility does not exceed the allowed height of the district in which it is located;
  - (d) The site meets all setback requirements as determined by the City's building and fire codes.
  - (e) All buffer yards required for nonresidential uses in section 11, landscaping, are installed and maintained;
  - (f) The development utility is enclosed by fencing which completely screens it from adjoining uses. Such fencing shall be a minimum of six feet in height. The following standards shall also apply:

1. In the event that such a site is located either within or adjacent to a nonresidential district, and within view of a public roadway, such fencing shall be masonry and comply with standards contained in Section 7A, Architectural Design Standards, if applicable, and shall match the color approved for any principal building;
  2. In the event that such a site is located either within or adjacent to a residential district, and within view of a public roadway, such fencing shall consist of community fencing that would be approved for the closest residential subdivision in accordance with Section 14.3; or
  3. In the event that the site is not located within view of a public roadway, such fencing shall consist of wood; and
- (g) Development of the site complies with all other applicable city codes, city-approved plans and ordinances.

(Ord. No. O-02-33, § 4, 7-15-2002; Ord. No. O-04-22; 05-17-04; Ord. No. O-08-41, § 07-21-2008, 15.C.2.A.(1).(f)).